September 28, 2022

The Honorable Maria Cantwell, Chair
The Honorable Roger Wicker, Ranking Member
Commerce, Science, and Transportation Committee
United States Senate
Washington, D.C. 20510

Dear Chair Cantwell and Ranking Member Wicker:

Truck crash deaths have increased 66 percent in the last thirteen years. In 2021, NHTSA estimates over 5,600 people lost their lives in crashes involving large trucks, and roughly 147,000 more were injured at a cost to society of an estimated $180 Billion.[1] According to the [Insurance Institute for Highway Safety](), in fatal two-vehicle crashes involving a large truck and a car, 97 percent of the deaths are the occupants of the passenger vehicle. A truck fatality crisis is occurring on our highways. Considering this distressing and disturbing trend, the Senate Commerce, Science, and Transportation Committee must categorically reject S.4861, the TRUCKS Act of 2022, recently introduced by Senator Cramer (R-ND) and Senator Rounds (R-SD) and referred to the Committee. The bill seeks to exempt small businesses and other industries from minimum training CDL training requirements. No one should be exempt from training to drive a truck.

Entry Level Driver Training (ELDT) is meant to ensure all CDL Applicants receive standardized training to improve lagging safety outcomes. According to the Federal Motor Carrier Safety Administration (FMCSA), "Driving a Commercial Motor Vehicle (CMV) requires a higher level of knowledge, experience, skills, and physical abilities than that required to drive a non-commercial vehicle… Additionally CDL holders are held to a higher standard when operating any type of motor vehicle on public roads… **Driving a commercial motor vehicle is a big responsibility** (emphasis added)."[2]

FMCSA convened a thirty-member committee comprised of stakeholder experts, the Entry Level Driver Training Advisory Committee (ELDTAC), that worked rigorously to establish the minimum requirements set forth in the ELDT Final Rule. The committee included the American Trucking Associations, National Association of Small Trucking Companies, Owner-Operator

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[1] Traffic Safety Facts: Crash Stats; Early Estimates of Motor Vehicle Traffic Fatalities and Fatality Rate by Sub-Categories in 2021, NHTSA, May 2022, DOT HS 813 298.
[2] FMCSA. (2022, June 30). *Commercial Driver's License Program: An Overview*. Commercial Driver's License Program. Retrieved September 26, 2022, from <https://www.fmcsa.dot.gov/registration/commercial-drivers-license>

Independent Drivers Association, as well as the Truckload Carriers Association.[3] According to FMCSA, the ensuing proposed ELDT rule "reflected the recommendations of the ELDTAC.[4] This bill undermines and disregards the expertise provided by this committee, which expressly included the views of small trucking companies, and will compromise public safety. A minimum baseline for CDL training, which has been in effect for less than a year, will ensure all truck drivers are equipped to responsibly handle large trucks weighing up to 80,000 pounds on the same roads used by those we hold most dear: our spouses, children, friends, and family. Prior to the ELDT rule taking effect, rural states have been hit hardest by the truck crash fatality crisis with North Dakota, South Dakota, Nebraska, Montana, Mississippi, and Wyoming in the top twelve deadliest truck crash states ranked by fatalities by 100,000 population in 2020.[5]

It is remarkable to think that since 1980 industry deregulation no federal standard for CDL training existed until 2022. It is widely accepted that minimum training standards are needed and adhered to without question in nearly every other industry, such as aircraft pilots, passenger vehicle driver's licenses, building contractors, and even substitute schoolteachers. The notion that the federal government should be complicit in recklessly unleashing inadequately trained individuals in Commercial Motor Vehicles during a large truck death and injury crisis is absurd. The TRUCKS Act of 2022 (S.4861) will negatively impact public safety and further contribute to the ever-rising large truck death and injury toll. TSC asks Senate Commerce, Science, and Transportation Committee members to strongly oppose this short-sighted and dangerous legislation.

Sincerely,

Zach Cahalan
Executive Director, Truck Safety Coalition (TSC)

Joan Claybrook
Chair
Citizens for Reliable and Safe Highways, Former NHTSA Administrator

Dawn King
President
Truck Safety Coalition & Citizens for Reliable and Safe Highways Board Member
Dawn's father, Bill Badger, was killed in 2004 while slowed in traffic when he was hit from behind by a truck driver who had fallen asleep at the wheel.

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[3] 81 FR 88732 (Dec. 8, 2016); Minimum Training Requirements for Entry-Level Commercial Motor Vehicle Operators, FMCSA/DOT <https://www.federalregister.gov/documents/2016/12/08/2016-28012/minimum-training-requirements-for-entry-level-commercial-motor-vehicle-operators#footnote-10-p88750 >
[4] Id.
[5] National Center for Statistics and Analysis of 2020 FARS data, NHTSA: <https://trucksafety.org/wp-content/uploads/2022/09/Worst-Truck-Crash-States-2020.jpg>

Russell Swift
Co-Chair
Parents Against Tired Truckers & Truck Safety Coalition Board Member
Russ' son, Jasen, was killed instantly, as was a fellow Marine, while they drove in the dark to work in 1993, by a seventeen-year-old truck driver on an invalid learner's permit whose truck was stuck across two lanes after trying a U-turn, causing the car to drive into and under the side of the trailer, causing a fatal underride crash.

Daphne & Steve Izer
Co-Chair
Parents Against Tired Truckers
Daphne and Steve's son, Jeff, and three of his friends were killed in 1993 when a semi-truck driver fell asleep at the wheel and ran over their parked car.

Linda Wilburn
Board Member
Parents Against Tired Truckers (P.A.T.T.)
Linda and Gary Wilburn's son, Orbie, was killed in 2002 when a tired truck driver slammed into his car.

Jennifer M. Tierney
Board Member
Citizens for Reliable and Safe Highways & Truck Safety Coalition
Jennifer's father, James Mooney, was killed on a dark, rural road in 1983 when he crashed into a truck with no visible lights blocking the roadway

Pam Biddle
Board Member
Citizens for Reliable and Safe Highways
On May 13, 2017, Pam's 23-year-old son, Aaron Lee, was in the car with his father, Brian, and Brian's partner, Stephanie Swaim. They were stopped in traffic due to a car carrier that had a brake fire and was still partially in their lane of traffic. A semi-driver failed to slow down and rear-ended the Lee's car which was pushed into and under another semi in front of them resulting in a rear underride crash. The vehicles then burst into flames killing Aaron, Brian, and Stephanie.

Tami Friedrich Trakh
Board Member
Citizens for Reliable and Safe Highways & Truck Safety Coalition
Tami's sister, Kris, brother-in-law, Alan, and two of their children, Brandie and Anthony, were killed in 1989 when a tanker truck overturned in front of them and exploded.

Jane Mathis
Vice President
Truck Safety Coalition & Board Member, Parents Against Tired Truckers (P.A.T.T.)

Jane's 23-year-old son, David, and his bride, Mary Kathryn, were killed while on their way home from their honeymoon in 2004 when they were stopped in traffic and hit from behind by a semi whose driver fell asleep at the wheel. The car became wedged under the truck, then exploded.

Nikki Hensley Weingartner
Board Member
Parents Against Tired Truckers (P.A.T.T.)
Nikki's husband, Virgil Hensley, was killed in 1997 when a truck driver ran a stop sign at an intersection, killing him instantly.

Jena Frost
Board Member
Parents Against Tired Truckers (P.A.T.T.)
Jena's son, Wyatt, was 5 years old when he was killed by a box truck that was not equipped with AEB.

Lee Jackson
Board Member
Citizens for Reliable and Safe Highways (CRASH)
Truck crash survivor and honorably retired CMV enforcement unit officer with Ft. Worth Police Department

Jeffrey Burns
Board Member, Citizens for Reliable and Safe Highways (CRASH) & Parents Against Tired Truckers (P.A.T.T.)